

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.05 JJ, Closed Area 26-M, Pleasant Point Gut to Davis Cove, Cushing, promulgated on January 27, 1995, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05 JJ, Closed Area No. 26-M, Pleasant Point Gut, Cushing.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, mussels, quahogs or oysters taken from the shores, flats and waters of Pleasant Point Gut and vicinity in the following area:

West of a line drawn southwest beginning at a red painted post located one hundred feet northeast of the most northern structure on the shore at the end of Dunn Lane in Cushing, to a red painted post located just northeast of a small (currently red) cottage on the Gay Island shore AND east of a line drawn southeast from a red painted post located at the site of a large satellite dish on the Cushing shore in Pleasant Point Gut, drawn to a red painted post located on the opposite shore on a small unnamed point on Gay Island.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: February 27, 2001

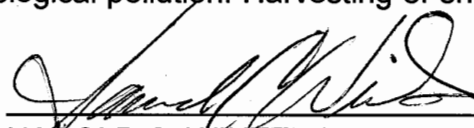
AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
194 McKown Point Road
West Boothbay Harbor, Maine 04575

THE COURIER GAZETTE
March 6, 2001

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 JJ, Closed Area No. 26-M, Pleasant Point Gut to Davis Cove, Cushing, promulgated on January 27, 1995, and replaces it with a new regulation. This new regulation reduces the size of the closed area to one small closure in Pleasant Point Gut Harbor.

Department personnel have sampled and surveyed the area and have determined that the newly opened area in Pleasant Point Gut and Davis Cove are now safe for shellfish harvest. The remaining closed areas are subject to intermittent microbiological pollution. Harvesting of shellfish in these areas is prohibited to protect the public health.

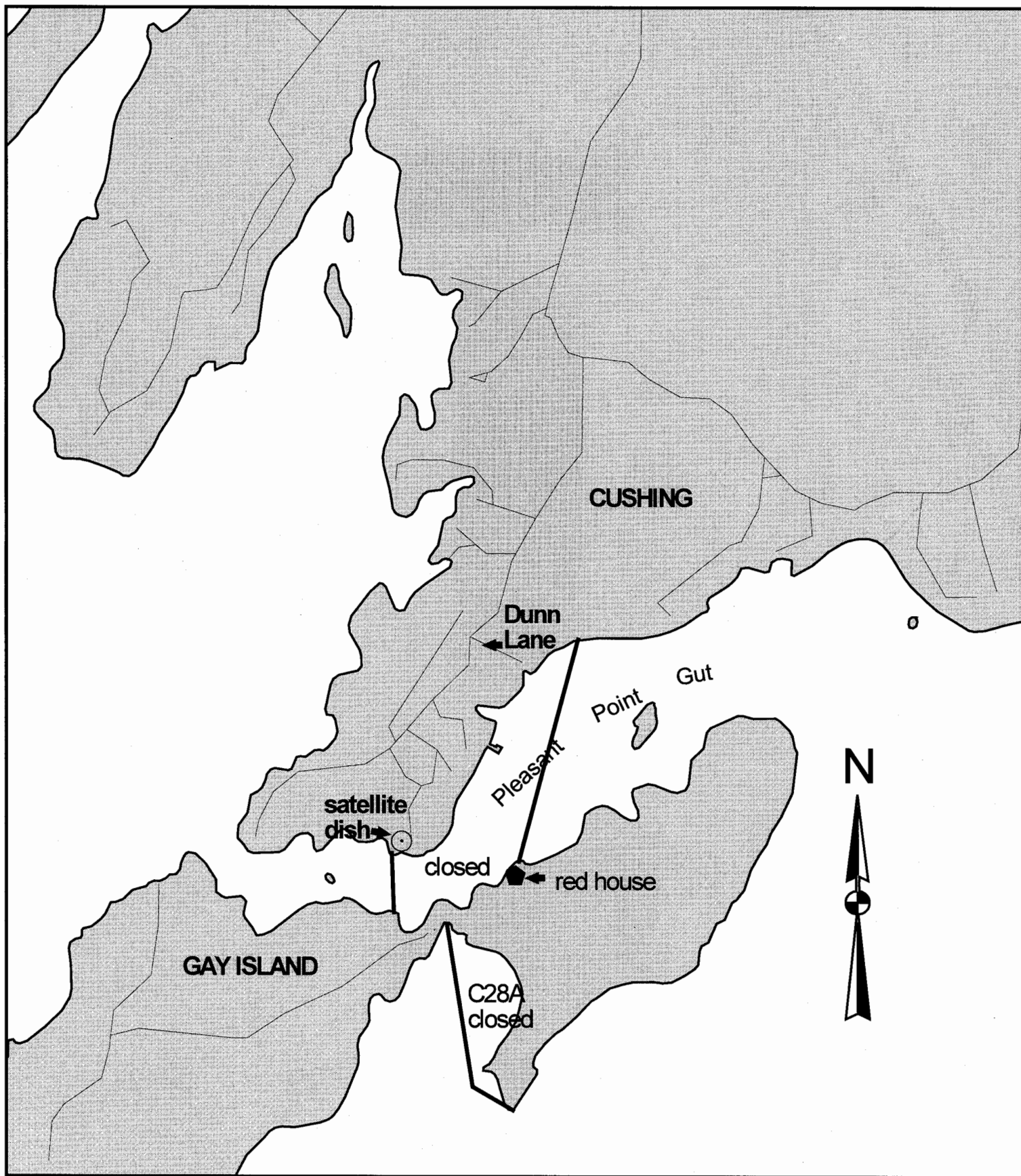


HAROLD C. WINTERS
ADMINISTRATIVE OFFICER FOR
GEORGE LAPOINTE, COMMISSIONER, AS
AUTHORIZED BY 12 MRSA SECTION 6023



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area 26M Pleasant Point Gut, Cushing



0.2 0 0.2 0.4 Miles